

September 24, 2009

Mr. Kirkpatrick called the meeting of the Union Township Planning Board/Board of Adjustment to order at 7:00 p.m. The Sunshine Statement was read.

Members Present: Mr. Walchuk, Mr. Badenhause, Mrs. Corcoran, Mr. Ryland,
Mr. Nace, Mr. Kirkpatrick

Members Absent: Mrs. Dziubek, Mr. Bischoff, Mr. Taibi, Mr. Ford

Others Present: Atty. Mark Anderson, Carl Hintz, Kevin Smith, Atty. Salvatore DiFazio,
Paul Sterbenz, Maurice Rached, Marla Roller, Lawrence Remaly,
Frank Goldberg

Approval of Minutes: Mrs. Corcoran made a motion to approve the July 9, 2009 and August 13, 2009 minutes. Mr. Badenhause seconded the motion.

Vote: All Ayes, No Nays, Motion Carried

St. Catherine of Siena: Block 22, Lot 34.02, 142 Perryville Road: Paul Sterbenz, St. Catherine's Engineer, said in response to comments from Board members at previous Hearings, applicant had submitted revised plans on September 11, 2009. Mr. Sterbenz said there would be one-way circulation for inbound and outbound traffic. Vehicles will enter via the existing driveway and travel in a counter-clockwise manner. Vehicles will be able to exit in easterly and westerly directions. Internal circulation will remain two-way. Mr. Sterbenz said that a change to the Landscaping Plan would increase impervious surface coverage to 22.6%. He also said a revised traffic report had been submitted addressing concerns about potential problems at the Perryville Road/Route 625 Intersection.

Mr. Sterbenz addressed Engineer Smith's letter dated September 23, 2009, specifically Items 6 and 7, Stormwater Review, page 4. Mr. Sterbenz said Plans would be revised to reflect Mr. Smith's concerns. He said applicant would provide a performance guarantee for buffer plantings, as a condition of approval. Mr. Sterbenz said applicant agreed to comply with Items 12 through 18 in Mr. Smith's letter dated September 23, 2009, as conditions of an approval. Mr. Sterbenz asked for clarification on HCHD approval. Applicant does not believe compliance is applicable, since there is no proposal for a well or septic. Mr. Sterbenz asked that not be included in a resolution. Pattenburg Fire Chief Van Fossen had submitted a letter received on May 4, 2009, stating he had no problem with the proposal. Mr. Sterbenz will submit a revised Plan to the Chief and address any concerns that might arise. Mr. Sterbenz addressed Mr. Hintz's letter dated September 17, 2009. Mr. Hintz requested reducing the extent of impervious cover (See Item 6.1,4 Parking and Access, page 3). Mr. Sterbenz proposed using gravel for the future parking stalls. He said that would reduce the impervious surface coverage from 22.6% to 21.2%

Mr. Sterbenz said applicant would re-submit Site Capacity Calculations (Comment 6.3, 1 page 4) as a condition of approval. Applicant will comply with Mr. Hintz's request for more shade trees (See Item 6.5,2, page 4. There will be no refuse containers outside of the building and no new signage is proposed. Mr. Sterbenz referenced the Site Plan Rendering, prepared by Marla Roller, Maser Consulting. The Plan, dated June 25, 2009, was marked Exhibit A-7. The Exhibit shows the revised Circulation Plan.

Atty. DiFazio asked Traffic Engineer Maurice Rached to come forward. Mr. Rached was sworn by Atty. Anderson. He presented his credentials. They were accepted by the Board. Mr. Rached gave an overview of his Traffic Study. Mr. Rached said that demographics of the congregation show that 70% of traffic exiting the site would make a left onto Perryville Road and 30% would make a right turn. An analysis showed that Service Level A would still be achieved. Mr. Rached visited the site on Saturday August 29 and Sunday August 30. He collected data from 3:30 to 5:30 p.m. on Saturday and from 9:00 a.m. through 1:00 p.m. on Sunday. Mr. Rached provided information based upon vehicles using all 143 parking spaces. Each space would generate one trip per hour. He said that is highly unlikely. The analysis showed the Level of Service at the Perryville Road/Route 625 Intersection to be Level C. Mr. Rached said Level C is considered extremely desirable at an intersection. Mr. Kirkpatrick cited previous testimony that all spaces would be full; otherwise, applicant would not have proposed that many spaces. Mr. Rached addressed the issue. He said the spaces provided for overlapping at services, as well as times when the Church would have special services, i.e., Christmas and Easter.

Mr. Rached noted that 117 spaces are proposed to be built and 26 are being banked. Mrs. Corcoran asked the Level of Service at the 625 Intersection if the 117 spaces and/or 143 spaces were full and the demographics showing 30% of traffic making a right turn at the exit were correct. Mr. Rached said it would be Level B. Engineer Smith asked about queuing and the approximate number of vehicles waiting at the Stop Sign at the 625 Intersection. Mr. Rached said there would probably be one or possibly two cars. He said the worst-case scenario, based on his analysis, would be four cars. Mr. Rached was asked the approximate time for the parking lot to empty. He said it would probably be between ten and fifteen minutes, based upon parishioners' schedules. Mr. Kirkpatrick thought there would be a longer queue if the parking lot emptied in ten minutes. Mr. Rached explained. Mr. Badenhause asked Mr. Rached if he had made a comparison with the traffic at the Intersection on weekday mornings, specifically with school traffic. Mr. Rached said he had not done a scientific study, however, he opined that the Level of Service would be between E and F at peak hours. Mr. Rached also opined that the Church Traffic would not be nearly as much as the weekday traffic.

Mr. Kirkpatrick asked Mr. Rached what measures would be required to maintain Level A Service at the Intersection. Mr. Rached said that would be an unheard and unreasonable request.

Engineer Smith noted that traffic coming from Interstate 78, making an uncontrolled left turn onto Perryville Road in a southbound direction, creates a higher Level of Service. Mr. Ryland voiced his opinion that there would be minimum impact on traffic from this proposal. Mr. Walchuk asked Mr. Rached about a change in demographics. Mr. Rached said the Study had addressed a potential change. Atty. DiFazio emphasized that the sending area, which is predominantly from the east, would not change. He said most of the Parishioners would be from Franklin Township. Mr. Walchuk reiterated his concern about a potential change in demographics. Mr. Kirkpatrick said applicant had stated there would be a change in the Level of Service at the Intersection, however it falls within acceptable standards and there is nothing practical that can be done to maintain the existing Level of Service.

Mr. Kirkpatrick asked for other questions from the Board. Mr. Walchuk revisited the impervious surface issue. Applicant indicated they would be willing to use gravel instead of paving the 26-banked parking spaces. Mr. Walchuk asked if gravel was considered impervious surface. He was told that gravel is considered impervious in the Highland Preservation Area. Mr. Walchuk also asked if applicant would have to return to the Board if applicant determined the need to expand the parking. Atty. Anderson said it would depend on what the Board approves. Mr. Badenhause said he did not think that gravel versus paving should be included in an approval. Applicant should determine what they felt was appropriate. Mrs. Corcoran asked if the traffic analysis was based on 143 parking spaces. Atty. DiFazio said the analysis was based on 144 spaces. Mr. Rached was unaware that one space had been deleted from the proposal.

Mrs. Corcoran made a motion to approve the application as presented, without the concession for non-impervious pavement for the additional reserved spaces; compliance with the landscaping plan; there will be no outside storage and a performance guarantee shall be provided. Mr. Ryland seconded the motion.

Vote: Ayes: Mrs. Corcoran, Mr. Ryland, Mr. Walchuk, Mr. Badenhause, Mr. Nace
Mr. Kirkpatrick

Mr. Kirkpatrick said he found the positive criteria of a public place of worship and the services provided by that place of worship far outweigh the minor negative impact of the increase in delay of traffic at the Intersection.

Atty. DiFazio thanked the Board for the approval.

Issue of Completeness: MBP Group LLC: Block 12, Lot 8.03, Charlestown Road:

Engineer Smith gave a brief overview of the Use Variance application to allow a single-family home to be constructed. The property is located in the Planned Commercial District. It was determined that there was insufficient information to deem the application complete.

Mrs. Corcoran made a motion to deem the application incomplete. Mr. Badenhausen seconded the motion.

Vote: Ayes: Mrs. Corcoran, Mr. Badenhausen, Mr. Walchuk, Mr. Ryland, Mr. Nace
Mr. Kirkpatrick

Mr. Smith will apprise applicant of the Board's action and the additional information required.

Bulvanoski: lock 22, Lots 9 & 10, Frontage Road: Applicant's Attorney requested that the matter be carried to the October 22, 2009 meeting.

Correspondence: Pilot Travel Centers LLC: Block 11, Lot 24.03, 68 Route 173 West: TWA Public Notification, August 28, 2009: Mr. Kirkpatrick and Atty. Anderson thought the application had been submitted and Pilot was waiting for NJDEP review. **Clinton Township Ordinances Re: Solar Energy Systems/Escrow Fee Changes and Construction Permits**

Comments from the Public: Frank Goldberg, 64 Cooks Cross Road, said he has Preliminary Approval for two additional lots on the property he owns at that location. The property is in the Highlands. Mr. Goldberg asked if the State Permit Extension Act was applicable for his site. Engineer Smith said the Highlands Council had determined that the State Permit Extension Act did not apply to any municipality in the Highlands. Mr. Goldberg thanked the Board for their time. He asked to be placed on the October 22, 2009 agenda.

Motion to Adjourn: Mrs. Corcoran made a motion to adjourn. Mr. Walchuk seconded the motion. (8:15 p.m.)

Vote: All Ayes

Grace A. Kocher, Secretary